

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

UNITED STATES OF AMERICA)
)
)
Plaintiff,)
)
)
v.) No. 4:15 CR 049 CDP
)
)
NIHAD ROSIC,)
)
)
Defendant.)

STATEMENT OF THE UNITED STATES REGARDING PRESENTENCE REPORT

COMES NOW the United States of America, by and through its attorneys, Jeffrey B. Jensen, United States Attorney for the Eastern District of Missouri, and Matthew T. Drake, Assistant United States Attorney for said district, and pursuant to Paragraph 7 of the Administrative Order of this Court (July 12, 1988), advised that, the United States accepts and has no objection to the Presentence Report.

The parties agreed upon a factual basis in the plea agreement and recommended calculations pursuant to the United States Sentencing Guidelines. Those facts and recommendations are consistent with information and calculations contained in the U.S. Probation Office Presentence report. Inasmuch, the United States respectfully requests that the Court adopt the findings of fact and conclusions of law as presented in the Presentence report.

The Defendant's only remaining objection is to paragraph 52 of the Presentence Report, that being the characterization of his role as equal in culpability with co-defendant Ramiz Hodzic. The Government agrees with the Presentence Report conclusion in paragraph 52 and on page 2 of the Addendum. The Government's position is that while their roles may have been different, co-defendant Ramiz Hodzic are equally culpable. Co-defendant Ramiz Hodzic was the primary

organizer of the conspiracy and Defendant Rosic was the only charged member of the conspiracy who tried to travel to Syria, twice (first on July 20, 2014 and again on December 7, 2014), to join Abdullah Pazara and engage in violent activities. This is further described in paragraphs 46 and 48 of the Presentence Report. The Presentence report identifies the defendant's intended travel plans in paragraphs 49 and 50. Defendant Rosic similarly admitted in the plea agreement that, "in May 2014, Defendant Rosic communicated directly with Pazara concerning Defendant Rosic's plans to travel to Syria, meet Pazara and join him in combat against the Syrian government of Bashar al Assad and others. Inasmuch, the Government's position is consistent with the presentence report that Ramiz Hodzic and Defendant Rosic are the most culpable.

Respectfully submitted,

JEFFREY B. JENSEN
United States Attorney

/s/ Matthew T. Drake
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CERTIFICATE OF SERVICE

The undersigned certifies that a true and correct copy of Government's Acceptance of the PreSentence Report was electronically filed and served on the Court's electronic filing system for defense counsel JoAnn Trog.

Dated: July 8, 2020

JEFFREY B. JENSEN
United States Attorney

/s/ Matthew T. Drake
MATTHEW T. DRAKE – 46499MO
Assistant United States Attorney